REMARKS

The above Amendments and these Remarks are in reply to the final Office Action mailed March 31, 2008. Claims 1-33 and 35-42 were pending in the Application prior to the outstanding Office Action. The present response cancels claims 33 and 41-42 and adds claims 43-45. Reconsideration of the rejections is respectfully requested.

I.   Claim Rejections – 35 USC § 101

In the Office Action mailed March 31, 2008, the Examiner rejects claims 33 and 41-42 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicant respectfully submits that claims 33 and 41-42 are canceled.

II.   Claim Rejections – 35 USC § 103

In the Office Action mailed March 31, 2008, the Examiner rejects claims 1-33 and 35-42 were rejected under 35 U.S.C. §103(a) as being unpatentable over Desai Arpan (December 3-14, 2001) in view of Lock et al. U.S. Pub. No. 2004/0028212 and further in view of Wang et al. U.S. Patent No. 7,062,507.

Here, Claim 1 defines "*performing a match that is associated with an XQuery method on said event of the stream of events.*" Applicant respectfully submits that **XQuery** is a query language (with some programming language features) that is designed to query collections of XML data. It is semantically similar to SQL, a structured query language. (http://en.wikipedia.org/wiki/XQuery).

On the other hand, Desai discloses Sequential XPath or SXPath that is a subset of Xpath. As stated in the pending Office Action, Desai does not teach an XML query method such as XQuery can be used to query against the document based on the stream of discrete events with each event representing a piece of the document as the document is being parsed by a streaming parser.

Furthermore, in Lok, a standard step of XQuery was performed over a whole DOM object (Paragraph [0087], Lines 17-20), in stead of only a port of the DOM object or an event out of a stream of events as embodied in Claim 1.

Therefore, claim1 should be in allowable condition. In addition, claims 13 and 23 should all be in allowable condition since they are all similarly amended. Subsequently, claims 2-12

and 35-36 which depends on allowable independent claim 1; claims 14-22 and 37-38 which depends on allowable independent claim 13; claims 24-32 and 39-40 which depends on allowable independent claim 23 should all be in allowable condition.

In addition, the newly added claim 43 sates that *"returning said event to the stream of events; and pulling said event from the stream of events for the use of a subsequent object."* Applicant respectfully submits that Desai does not teach to return the event back to the stream of events and then pull the event for the second time out of the stream of events for the use of another object. In Page 1, lines 30-33, Desai merely teaches allowing the expulsion of needless buffering of the past and current nodes without indicating that multiple user objects can handle the event subsequently, especially in the cases of performing another matching (Claim 44) and keeping only a portion of the Xml document in memory at any given time for multiple matchings (Claim 45). Therefore, claim 43-45 should be in allowable condition.

III.   Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Applicant respectfully reserves the right to prosecute any originally presented or canceled claims in a continuing or future application.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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